



US Army Corps
of Engineers
St Paul District

APPLICANT: Minnesota
Department of
Transportation
District 3

Public Notice

ISSUED: 24 February 2004

EXPIRES: 25 March 2004

REFER TO: 04-00157-DJS

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material in 13.54 acres of wetlands adjacent to Pine Brook and other various locations in Isanti/Kanabec Counties; for the reconstruction of STH 47 from Highway 95 in Isanti County to Highway 23 at Ogilvie in Kanabec County.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 1991 Industrial Park Road
Baxter, MN 56425
(218) 828-2454

PROJECT LOCATION: The project site is located in Sec. 13, T. 36N., R. 25W., Isanti County and other various locations in Isanti/Kanabec Counties, Minnesota. The approximate UTM coordinates are Zone 15, North 5050590, East 469655.

DESCRIPTION OF PROJECT: The applicant proposes to discharge fill material into 13.54 acres of wetlands adjacent to Pine Brook and other various locations in Isanti/Kanabec Counties, for the reconstruction of STH 47. According to the applicant, the purpose of the project is to reconstruct STH 47 to improve traffic safety and correct major deficiencies in the roadway which include, horizontal curves, widen shoulders, add turn and bypass lanes, and replace deficient bridges/culverts. MNDOT would reclaim the center 24 feet of the roadway and widen shoulders to 7 1/2 feet with 6 feet paved. Minor realignments of the roadway are planned at four locations and the construction of right turn and bypass lanes. Vertical curve corrections would be made to correct drainage problems from the Isanti County line north to Ogilvie and at the Town of Dalbo.

VEGETATION IN AFFECTED AREA: The wetlands affected by the proposed project include Types 1,2,3,4,6 and 7. Species affected include Silver Maple, Sensitive Fern, sedge sp, Redtop, cattail sp, Black Ash, American Elm, Tamarack, Speckled Alder, willow sp, Quaking Aspen, Green Ash, and Reed Canary Grass.

SOURCE OF FILL MATERIAL: Local commercial sources.

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SURROUNDING LAND USE: Agricultural.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Standard erosion control practices would be used at the project site by the applicant.

COMPENSATORY MITIGATION: MNDOT proposes to debit compensatory mitigation credits from existing and newly construction mitigation bank sites. The replacement ratio proposed by MNDOT would be 1:1 for all impacts. 13.70 acres of wetland credit would be debited from the following sites.

1. Lindgren Site located in Sec. 35, T. 38N., R. 25W., Kanabec County. 1.7 acres would be debited from this Type 3 created wetland.

2. Zenner Bank Site located in Sec. 28, T. 123N., R. 34W., Starns County. 1.93 acres would be debited from this Type 3 restored wetland.

3. Thoeny Site located in Sec. 14, T. 38N., R. 25W., Kanabec County. 9.91 acres would be debited from this Type 2,3,6,7 restored wetland.

4. Groundhouse River Channel located in Sec. 36, T. 39N., R. 25W., Kanabec County. 0.16 acre would be debited from this created river channel.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 190 Fifth Street East, Saint Paul, MN 55101-1638.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Dan J. Seemon at the St. Paul office of the Corps, telephone number (651) 290-5380.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Isanti/Kanabec Counties are within the known or historic range of the following Federally-listed threatened species:

<u>Species</u>	<u>Habitat</u>
Bald eagle	Mature forest.near water
Gray wolf	Northern forested areas

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This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This project comes under the regulatory jurisdiction of the Corps of Engineers because Pine Brook and other unnamed watercourses and adjacent wetlands are tributary systems to the Rum/Snake Rivers, navigable waters of the United States.

REGULATORY AUTHORITY: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act. Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 Code of Federal Regulations 230).

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: Minnesota Wetland Conservation Act at County levels.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section 401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

The MPCA has eliminated the staffing resources for the Section 401 certification program due to budgetary limitations. Due to staff reductions, MPCA is intending to waive many section 401 certification applications with limited exceptions but the MPCA reserves the right and authority to proceed differently if extreme or unique circumstances merit a different approach. In many cases, the waiver of 401 certification means that the MPCA has not reviewed federally permitted projects in detail for conformance with state water quality standards nor has the MPCA made a determination of the proposal's

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compliance with state water quality standards. This waiver action, however, will not exempt the applicant from the responsibility of complying with all applicable water quality standards and requirements as contained in Minn. R. ch. 7050 and all other applicable state rules regarding water quality. The applicant will need to make a self-determination of water quality compliance of their proposal. In the event of water quality violations caused by the applicant's project, enforcement action may be taken by the MPCA.

Any comments relative to MPCA's intention to waive Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency
Regional Environmental Management Division
Attention 401 Certification
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Officer to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application. However, the latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.


The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns,

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wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

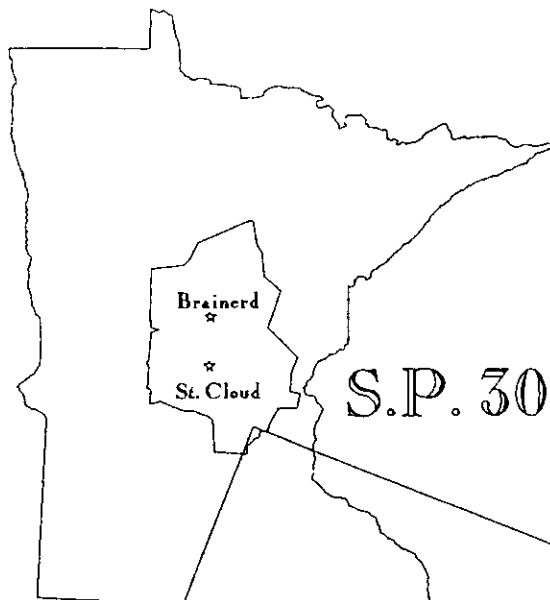
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


Ralph J. Augustin
Chief, Metro Permit Section

Enclosures

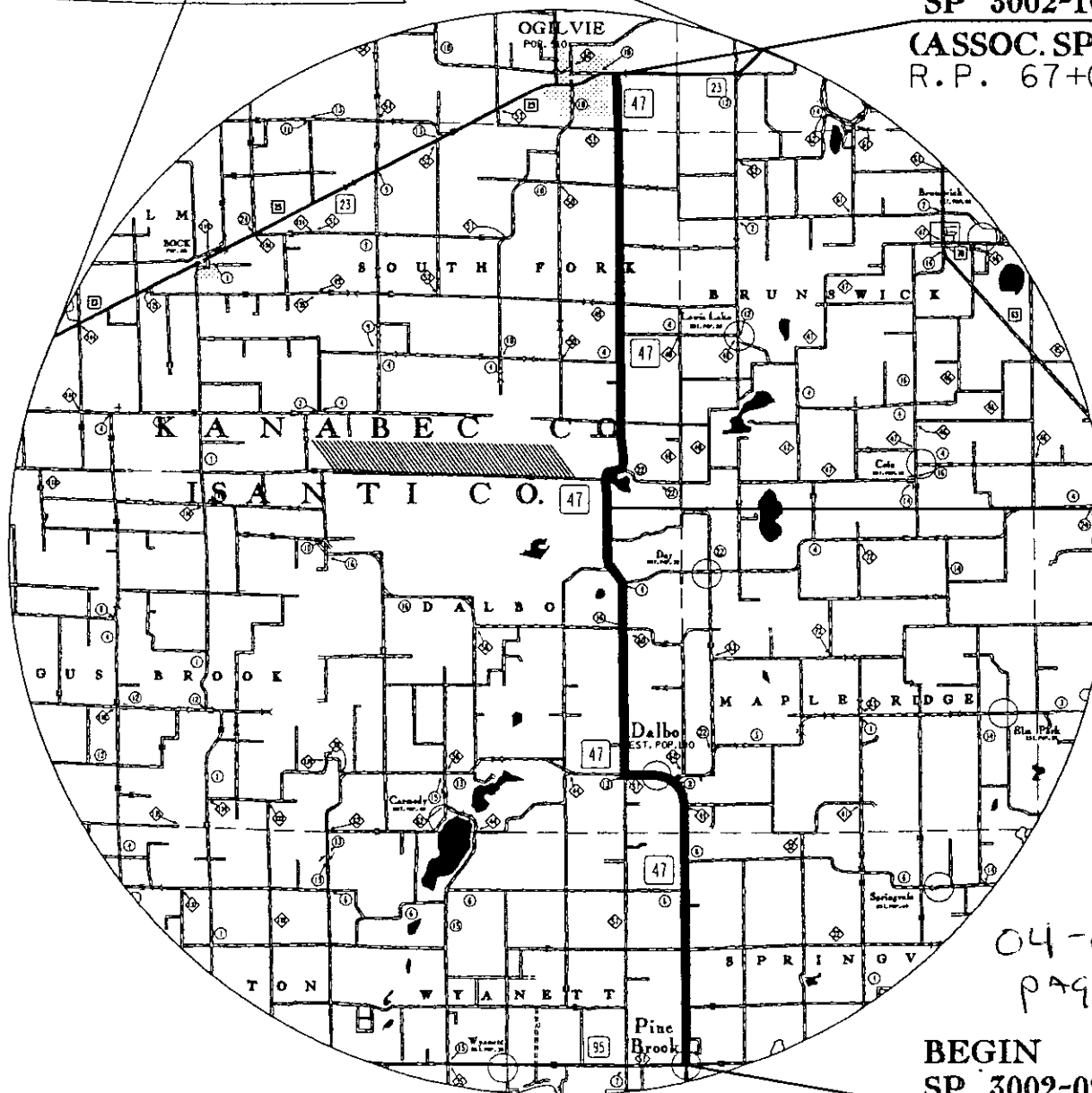
NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.

PROJECT LOCATION



S.P. 3002-09
S.P. 3002-10 (ASSOC. S.P. 3303-43)
TH 47

END
SP 3002-10
(ASSOC. SP 3303-43)
R.P. 67+00.906



BEGIN
SP 3002-10
END
SP 3002-09
R.P.
60+00.182

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SP 3002-09
R.P. 49+00.649

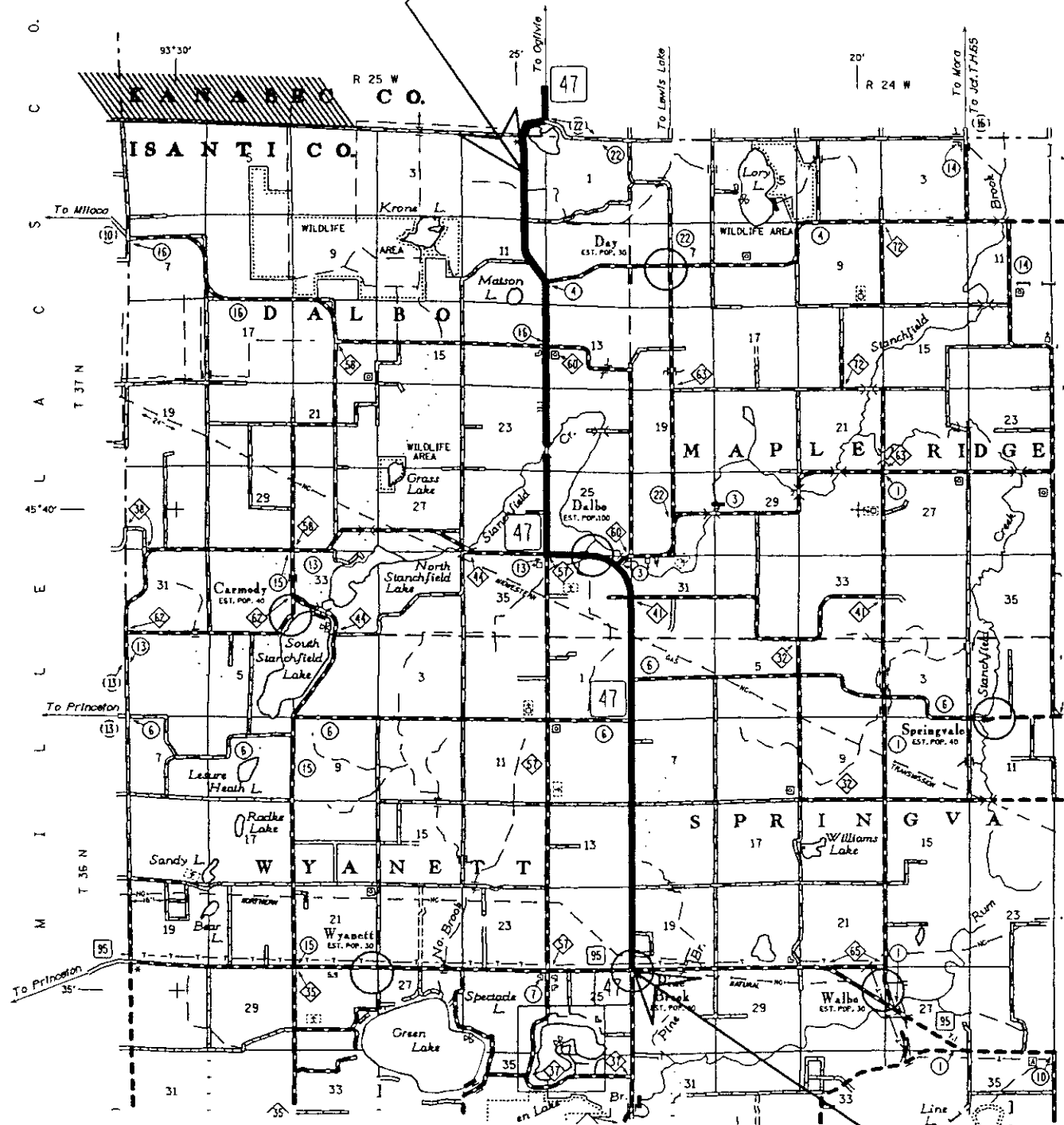
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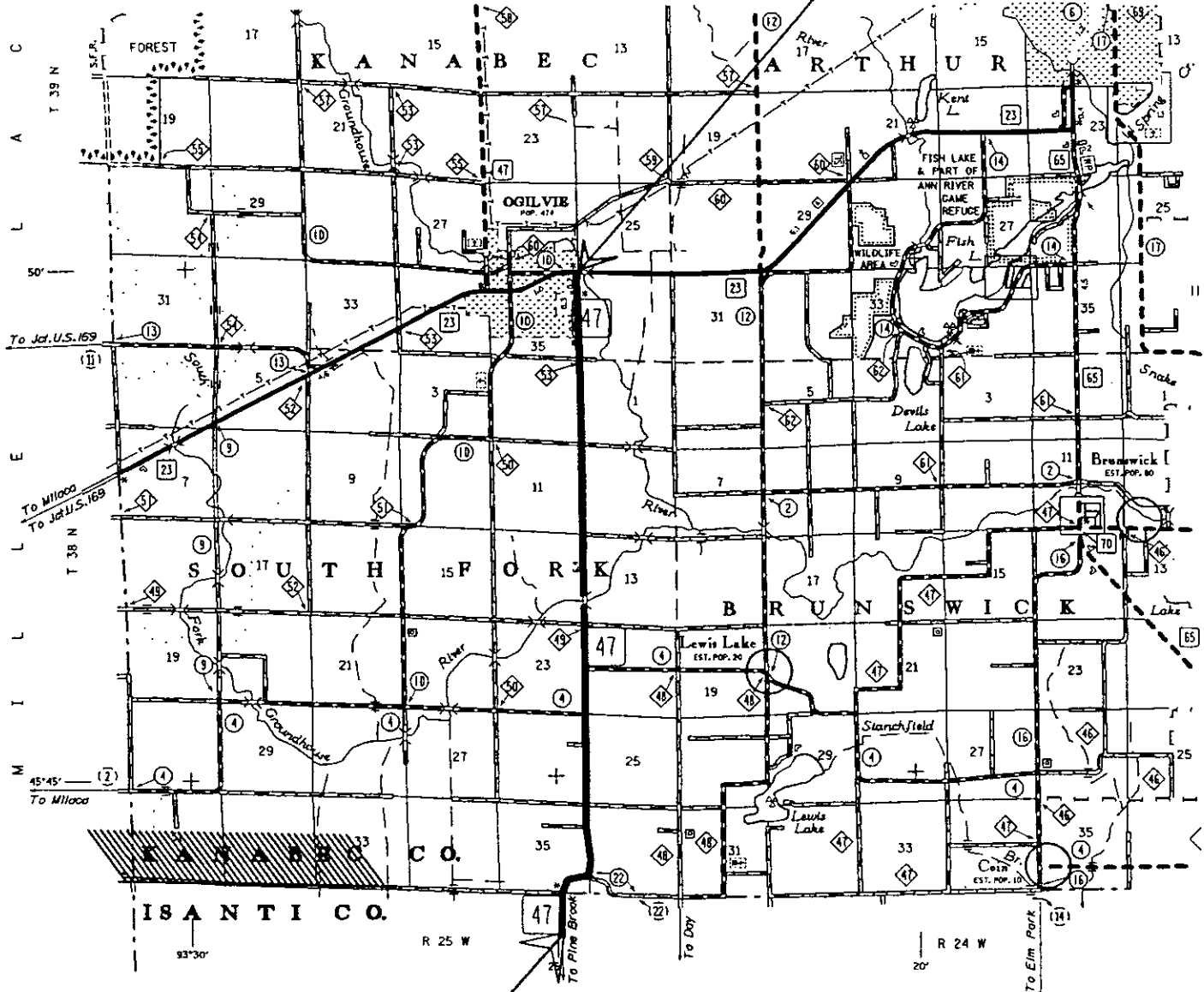
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B E G I N

S.P. 3002-10 (ASSO. S.P. 3303-43)

E N D

S.P. 3002-09

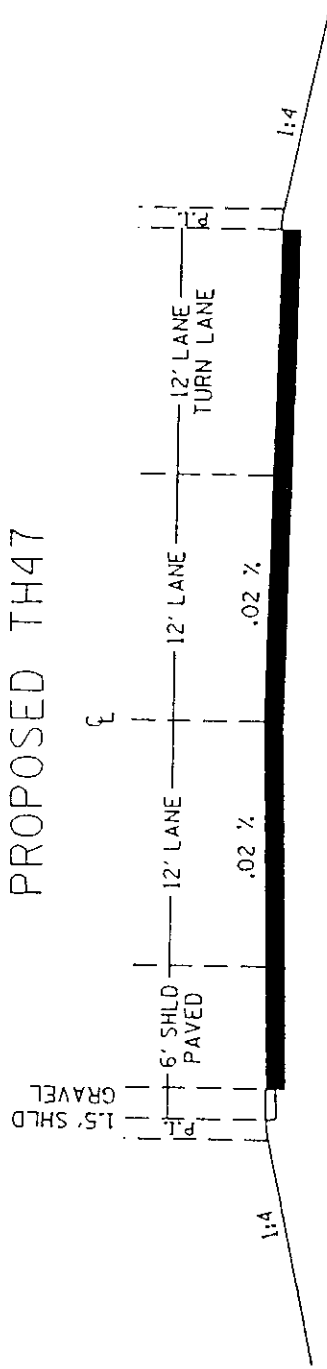
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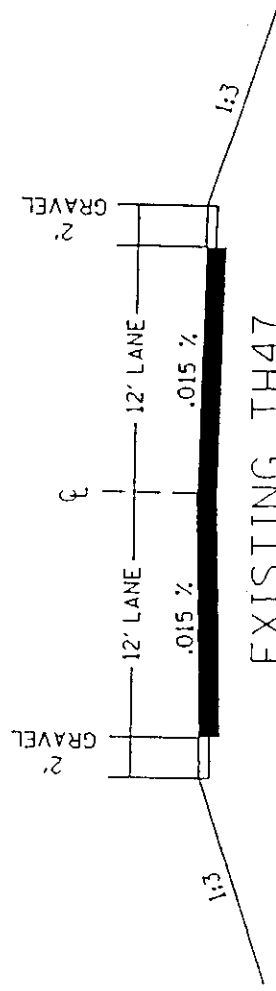
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TH 47 TYPICALS

PROPOSED TH47



EXISTING TH47



Impacts to Wetlands

Wetland #	County	Sect Twp Range	Watershed	Type C-39	Type Cowardin	Size of Impact (ac)	Approx Wetland Size (ac)	% Impacted	Topo Setting	Predominant Vegetation
50	Isanti	13-36-25	Rum River	6	PSS1Cd	0.33	8	4%	Tributary	Reed Canary Grass, willow sp, Quaking Aspen
51	Isanti	13-36-25	Rum River	3	PEMCd	0.36	20	2%	Flow Through	Cattail sp, RCG, willow sp, Quaking Aspen
49	Isanti	13-36-25	Rum River	3	PEMC	0.09	1.5	6%	Isolated	RCG, willow sp, cattail sp, Boxelder
52a	Isanti	18-36-24	Rum River	4	PEME	0.22	40	0.5%	Flow Through	Cattail sp, willow sp, bulrush sp, Quaking Aspen
52b	Isanti	18-36-24	Rum River	4	PEMFd				Flow Through	Same as above
48	Isanti	18-36-24	Rum River	6	PSS1B	0.15	10	2%	Tributary	Willow sp, sedge sp, Quaking Aspen, RCG, Dogwood sp, Speckled Alder
53	Isanti	18-36-24	Rum River	6	PSS1B	0.06	10	0.5%	Tributary	RCG, sedge sp
46	Isanti	13-36-25	Rum River	7	PFO1Bg	0.31	20	2%	Tributary	Black Ash, Silky Dogwood, American Elm, Tamarack, sedge sp, willow sp, Sensitive Fern
54	Isanti	18-36-24	Rum River	7	PFO1B	0.2	60	0.5%	Flow Through	Bottlebrush sedge, Silky Dogwood, willow sp, Amer. Elm, Tamarack, Sensitive Fern
45	Isanti	12-36-25	Rum River	7	PFO1Bg	0.16	5	3%	Isolated	Silky Dogwood, Black Ash, Amer. Elm, Tamarack, sedge sp, willow sp, Sensitive Fern, Speckled Alder
55	Isanti	7-36-24	Rum River	7	PFO2Bg	0.8	50	2%	Flow through	Bottlebrush Sedge, Silky Dogwood, willow sp, Amer. Elm, Tamarack, Sensitive Fern,

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44	Isanti	12-36-25	Rum River	7	PFO2Bg	0.37	60	0.5%	Tributary	Stiff Dogwood, Cinnamon Fern, Black Ash, Amer. Elm, Tamarack, sedge sp, willow sp Speckled Alder
57	Isanti	7-36-24	Rum River	3	PEMC	0.06	1	6%	Flow through	RCG, cattail sp, Quaking Aspen, willow sp
58	Isanti	7-36-24	Rum River	6	PSS1Bg	0.7	70	1%	Flow Through	RCG, Giant Reed Grass, willow sp, Amer. Elm, Quaking Aspen
42	Isanti	12-36-25	Rum River	6	PSS1Bg	1.02	10	10%	Flow Through	RCG, cattail sp, willow sp
41	Isanti	1-36-25	Rum River	2	PEMBg	0.05	0.1	50%	Tributary	RCG, Stinging Nettle
40	Isanti	1-36-25	Rum River	2	PEMBg	0.05	0.25	20%	Isolated	RCG
39	Isanti	1-36-25	Rum River	1	PEMBg	0.03	0.04	75%	Floodplain	Boxelder
60	Isanti	31-37-24	Rum River	6	PSS1B	0.1	10	1%	Isolated	RCG, Sensitive Fern, Amer. Red Raspberry, Speckled Alder
38	Isanti	36-37-25	Rum River	1	PFO1C	0.09	0.5	18%	Floodplain	RCG, Silver Maple, Jewelweed
37	Isanti	36-37-25	Rum River	3	PEMCd /PEMBd	0.06	8	1%	Flow Through	RCG, cattail sp, Quaking Aspen
63	Isanti	25-37-25	Rum River	1	PEMC	0.09	0.09	100%	Tributary	Red Top
36	Isanti	26-37-25	Rum River	6	PSS1C PEMF/	0.2	10	2%	Isolated	RCG, cattail sp, Amer. Elm, willow sp
64	Isanti	26-37-25	Rum River	2	PEMCd /PEMA	0.09	0.5	18%	Isolated	Redtop, sedge sp, RCG
35	Isanti	23-37-25	Rum River	2	PEMBg	0.25	20	1%	Floodplain	Sedge sp, RCG
66	Isanti	24-37-25	Rum River	6	PEMBg /PSS1Bg	0.26	60	0.5%	Floodplain	RCG, cattail sp, willow sp, Amer. Elm
34	Isanti	23-37-25	Rum River	6	PEMBg /PSS1C	0.46	40	1%	Floodplain	RCG, sedge sp, willow sp, cattail sp
65	Isanti	24-37-25	Rum River	6	PEMBg /PSS1Bg	0.68	60	1%	Floodplain	Amer. Elm, willow sp, RCG, sedge sp
67	Isanti	24-37-25	Rum River	2	PEMC	0.03	0.5	6%	Tributary	Sedge sp, Giant Golden Rod
68	Isanti	13-37-25	Rum River	2	PEMC	0.16	0.5	32%	Flow Through	RCG, Boxelder

31	Isanti	14-37-25	Rum River	6	PEMCD /PSS1Cd	0.13	3	4%	Flow Through	RCG, Quaking Aspen
69	Isanti	13-37-25	Rum River	2	PEMCD	0.08	10	1%	Flow Through	RCG
30	Isanti	14-37-25	Rum River	2	PEMC	0.1	1	10%	Tributary	Sedge sp, RCG
70	Isanti	13-37-25	Rum River	2	PEMC	0.05	15	0.3%	Flow Through	RCG, cattail sp
29	Isanti	14-37-25	Rum River	2	PEMCD	0.06	15	0.4%	Flow Through	RCG, Quaking Aspen
71	Isanti	13-37-25	Rum River	6	PEMC /PSS1C	0.11	2	6%	Flow Through	RCG, cattail sp, willow sp
27	Isanti	14-37-25	Rum River	6	PEMC /PSS1C	0.09	1	9%	Flow Through	RCG, willow sp
26	Isanti	11-37-25	Rum River	3	PEMC	0.01	0.5	2%	Isolated	RCG, cattails
24	Isanti	11-37-25	Rum River	2	PEMC	0.09	0.5	18%	Flow Through	RCG
72	Isanti	11-37-25	Rum River	6	PEMC /PSS1Bg	0.17	160	0.1%	Flow Through	RCG, sedge sp, willow sp, cattail sp, Amer. Elm
23	Isanti	11-37-25	Rum River	6	PEMC /PSS1Cd	0.02	0.5	4%	Flow Through	RCG, Quaking Aspen
22	Isanti	11-37-25	Snake River	7	PSS1B	0.36	10	4%	Tributary	RCG, sedge sp, Black Ash, willow sp, cattail sp
73	Isanti	11-37-25	Snake River	2	PEMC	0.08	0.08	100%	Tributary	RCG
75	Isanti	2-37-25	Snake River	6	PEMBgd /PSS1Cd	0.26	120	0.2%	Flow Through	RCG, Quaking Aspen, willow sp, Giant Goldenrod
20	Isanti	2-37-25	Snake River	2	PEMCD	0.03	5	0.6%	Tributary	RCG
78	Isanti	2-37-25	Snake River	6	PEMBgd /PSS1Cd	0.74	120	0.6%	Flow Through	Willow sp, RCG
19	Isanti	2-37-25	Snake River	7	PSS1Bg	0.34	5	6%	Flow Through	Willow sp, Amer. Elm, RCG, sedge sp
1a	Kanabec	35-38-25	Snake River	4	PEMC	0.16	80	0.2%	Isolated	RCG, willow sp, cattail sp,
1b	Kanabec	35-38-25	Snake River	4	PEMF				Isolated	Same as above
18	Kanabec	35-38-25	Snake River	2	PEMC	0.08	0.25	32%	Tributary	RCG
17	Kanabec	35-38-25	Snake River	3	PEMC /PUBF	0.49	2	25%	Tributary	RCG, sedge sp
16	Kanabec	35-38-25	Snake River	2	PEMC	0.29	2	15%	Flow Through	RCG
15	Kanabec	35-38-25	Snake River	3	PUBGx	0.43	1	43%	Isolated	RCG, willow sp
14	Kanabec	35-38-25	Snake River	3	PEMCx	0.04	3	2%	Isolated	RCG, cattail sp
12	Kanabec	35-38-25	Snake River	2	PEMC	0.02	0.1	20%	Isolated	Sedge sp
3	Kanabec	25-38-25	Snake River	3	PUBFx	0.13	0.5	26%	Isolated	RCG
10	Kanabec	14-38-25	Snake River	2	PEMB	0.29	4	7%	Floodplain	RCG

4	Kanabec	13-38-25	Snake River	2	PEMC /PEMB	0.34	20	2 %	Floodplain	Sedge sp, RCG, Amer. Elm
5	Kanabec	13-38-25	Snake River	2	PEMCd	0.17	3	6%	Flow Through	Sedge sp, RCG
9	Kanabec	14-38-25	Snake River	6	PEMBd /PSS1Bd	0.19	5	4%	Tributary	RCG, willow sp
81	Kanabec	2-38-25	Snake River	1	PEMCf	0.07	0.08	88%	Tributary	Pinkweed
11	Kanabec	36-39-25	Snake River	1	PEMA	0.02	0.25	8%	Floodplain	RCG, Sensative Fern, Silver Maple
7	Kanabec	36-39-25	Snake River	1	PFO1C	0.10	1	10%	Floodplain	Sandbar Willow, sedge sp, Giant Goldenrod, Green Ash
8	Kanabec	35-39-25	Snake River	1	PFO1C	0.02	0.25	8%	Flow Through	RCG, Green Ash
13	Kanabec	25-39-25	Snake River	1	PFO1C	0.05	15	0.3%	Floodplain	Green Ash
76	Isanti	2-37-25	Snake River	1	PEMA	0.08	0.13	62%	Isolated	Path Rush, Wild Millet
6	Kanabec	1-38-25	Snake River	1	PFO1C	0.06	0.25	24%	Tributary	RCG, Black Ash
82	Isanti	13-37-25	Rum River	2	PEMC	0.03	0.05	60%	Isolated	RCG
83	Isanti	25-37-25	Rum River	3	PEMBgd	0.18	3	6%	Flow Through	RCG, willow sp, Silky Dogwood, Amer. Elm
Total Impacts						13.56 ac				

Type	Acres Impacted	Total Acres
1	0.61	17.59
2	2.34	97.83
3	1.86	41
4	0.38	120.00
6	5.67	699.5
7	2.54	210.00
Riverine	0.16	NA

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Description of Replacement Wetlands, For 2.74 ac Additional Impact

Name of Wetland Replacement Site	County	Sect Twp Range	Watershed	Type C-39	New Wetland Credits	Public Value Credits	Restored or Created	Predominant Vegetation
Lindgren Site	Kanabec	35-38-25	Snake River	3	1.7	0	Created	Sedge sp, cattail sp
Zenner Bank Site	Stearns	28-123-34	N Fork Crow River	3	1.93 ac to be used		Restored	Reed Canary Grass, cattail sp, willow sp, sedge sp
Thoeny Site	Kanabec	14-38-25	Snake River	2,3,6,7	9.91	9.91	Restored	Speckled Alder, Black Ash, Green Ash, Dogwood sp, Silver and Red Maple, Sedge sp, Cattail sp
Groundhouse River Channel	Kanabec	38-39-25 6	Snake River		0.16		Created River Channel	
Totals					13.70	9.91		

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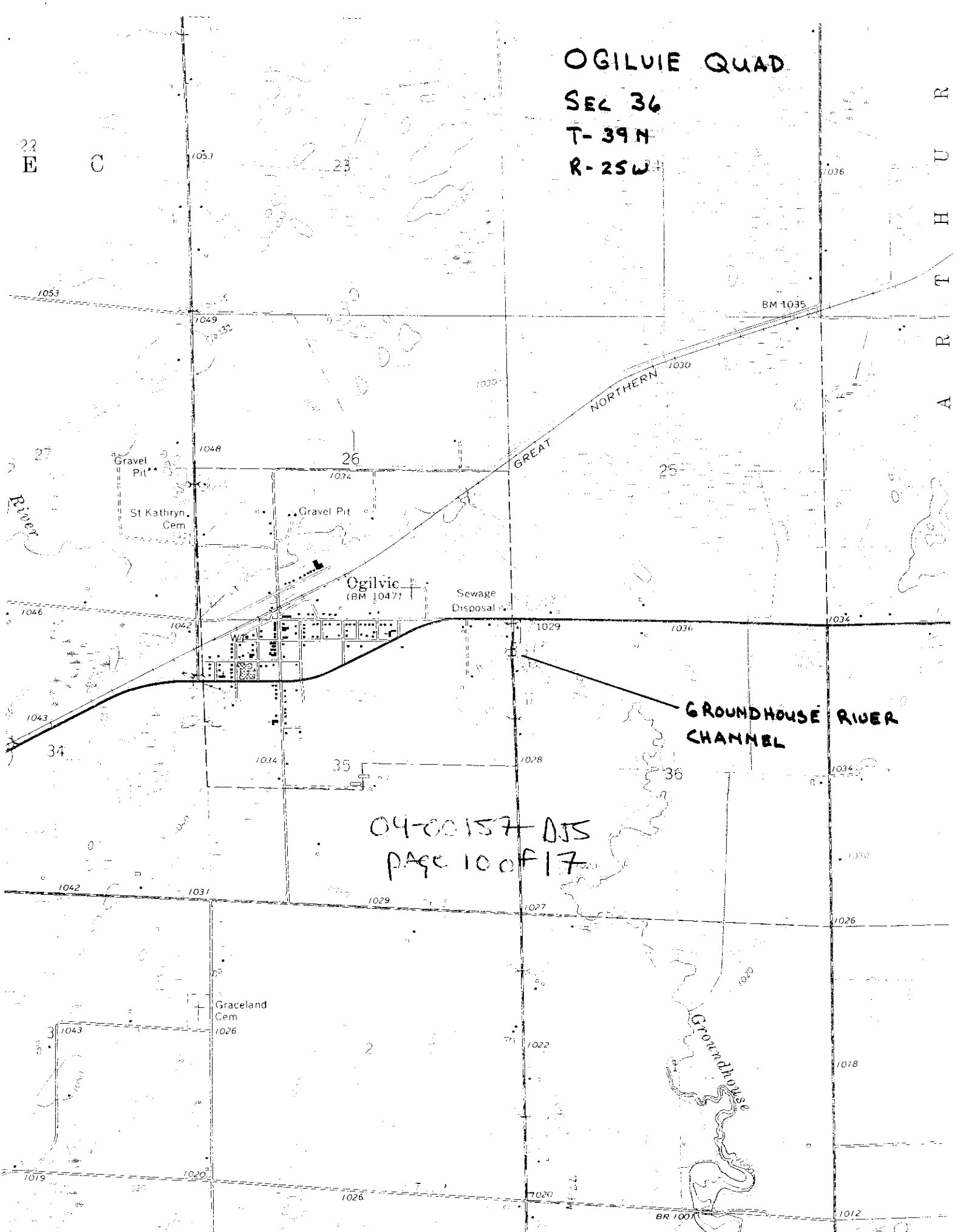
SEC 36

T-39N

R-25W

R
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22
E C



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GROUNDHOUSE RIVER
CHANNEL

Graceland
Cem
1026

Groundhouse

BR 1001

1012

1020

1026

1020

1019

1018

1022

2

1043

1026

1027

1029

1031

1042

1034

1028

35

1014

34

1034

1036

1029

Sewage
Disposal

Ogilvie
(BM 1047)

Gravel Pit

St Kathryn
Cem

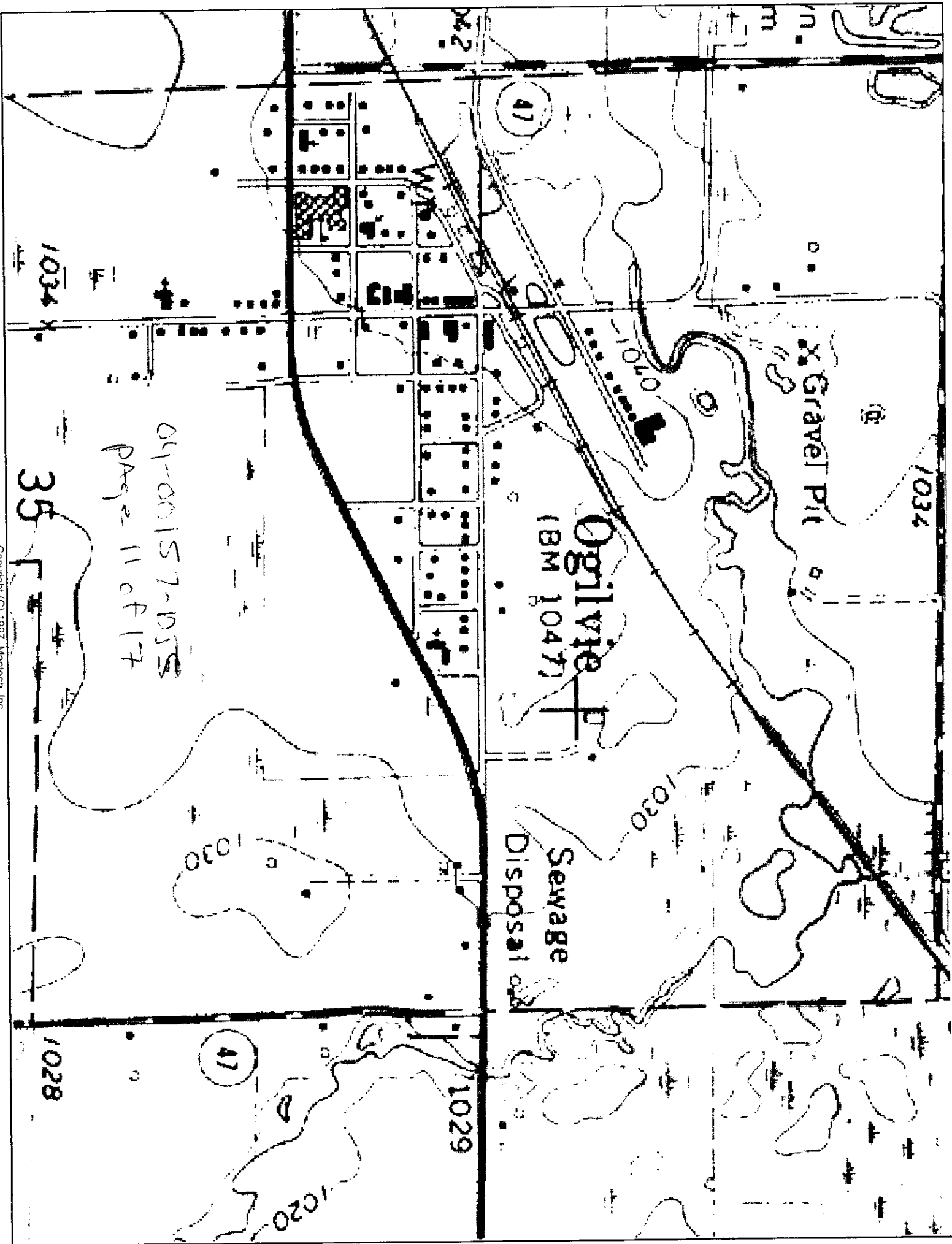
Gravel
Pit

River

GREAT
NORTHERN

BM 1035

1036



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35

OGILVIE QUAD

SEC 14

T-38N

R-25W

Graceland
Cem
1026

BR 1001

Groundhouse
River

Gravel Pit

THOENY SITE

Fork
Sud

Gravel
Pit

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OGILVIE QUAD

SEC 14

T-38N

R-25W

KANABEC CO.

THOENV SITE

FORK

BR 986

Co RD 49

04-00157-RTS

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35

TH 47

1006

36

LINDGREN SITE

Gravel Pits

Lindgren Lake

APPROX.
FIELD ALIGNMENT

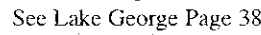
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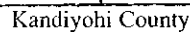
KANABEC CO
ISANTI CO

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See Lake Henry Page 40

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1253

1237

1237

157-170

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